

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MICHAEL WAYNE DIGGS JR.,

Plaintiff,

v.

WAL-MART,

Defendant.

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Case No. 2:16-CV-01029-JRG-RSP

ORDER

This civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 6) by Magistrate Judge Payne, which recommends that this case be dismissed for Plaintiff Michael Diggs, Jr.'s failure to pay the filing fee pursuant to 28 U.S.C. § 1914(a). No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne's report, the Court concludes Magistrate Judge Payne's Report & Recommendation (Dkt. No. 6) is correct and is hereby **ADOPTED**. Accordingly, this case is **DISMISSED**. The Clerk of Court is directed to close this case.

So ORDERED and SIGNED this 4th day of September, 2019.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE